

Calendar No. 982

110TH CONGRESS
2D SESSION**S. 2359**

To establish the St. Augustine 450th Commemoration Commission, and for
other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2007

Mr. MARTINEZ (for himself and Mr. NELSON of Florida) introduced the fol-
lowing bill; which was read twice and referred to the Committee on En-
ergy and Natural Resources

SEPTEMBER 16, 2008

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To establish the St. Augustine 450th Commemoration
Commission, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “St. Augustine 450th
5 Commemoration Commission Act of 2007”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—Congress makes the following find-
3 ings:

4 (1) The founding of the city of St. Augustine,
5 Florida, in 1565 established the first permanent Eu-
6 ropean colony and the birthplace of the Christian re-
7 ligion (particularly Roman Catholicism) in the New
8 World.

9 (2) The settlement of St. Augustine brought
10 people from throughout the Atlantic Basin together
11 to form a multicultural society, including peoples
12 from Spain, England, and the rest of Europe as well
13 as Native Americans and Africans.

14 (3) The economic, political, religious, and other
15 social institutions that have developed over the 4½
16 centuries of the continuous, uninterrupted existence
17 of St. Augustine, the oldest city in North America,
18 continue to have profound effects on the United
19 States, on cross-cultural relationships, and on the
20 economic structure, status, and international influ-
21 ence of the United States.

22 (4) The National Park Service, the State of
23 Florida, the city of St. Augustine, and the Univer-
24 sity of Florida collectively own and operate signifi-
25 cant resources related to the history of St. Augus-
26 tine.

1 (5) The city of St. Augustine has existed con-
 2 tinuously since 1565 and is the governmental entity
 3 responsible for planning and implementing the com-
 4 memoration of the 450th anniversary of the found-
 5 ing of St. Augustine.

6 (6) The city of St. Augustine has created a
 7 committee to prepare for the 450th anniversary
 8 commemoration, and planning for the commemora-
 9 tion has been initiated.

10 (b) PURPOSE.—The purpose of this Act is to estab-
 11 lish the St. Augustine 450th Commemoration Commission
 12 to—

13 (1) ensure a suitable national observance of the
 14 450th anniversary of the city of St. Augustine by
 15 complementing the programs and activities of the
 16 State of Florida and the city of St. Augustine;

17 (2) cooperate with and assist in the programs
 18 and activities of the State of Florida in observance
 19 of the 450th anniversary of St. Augustine;

20 (3) assist in ensuring that the St. Augustine
 21 450th anniversary observances provide an excellent
 22 visitor experience and beneficial interaction between
 23 visitors and the natural and cultural resources of the
 24 St. Augustine sites;

1 (4) assist in ensuring that the St. Augustine
2 450th anniversary observances are inclusive and ap-
3 propriately recognize the experiences of all peoples in
4 St. Augustine's history;

5 (5) provide assistance in the development of St.
6 Augustine-related programs and activities;

7 (6) facilitate international involvement in the
8 St. Augustine 450th anniversary observances;

9 (7) support and facilitate marketing efforts for
10 a commemorative coin, stamp, and related activities
11 for the St. Augustine 450th anniversary observ-
12 ances; and

13 (8) assist in the appropriate development of
14 heritage tourism and economic benefits to the
15 United States through the commemoration of the
16 450th anniversary of the city of St. Augustine.

17 **SEC. 3. DEFINITIONS.**

18 In this Act—

19 (1) **COMMEMORATION.**—The term “commemo-
20 ration” means the commemoration of the 450th an-
21 niversary of the founding of the settlement of St.
22 Augustine.

23 (2) **COMMISSION.**—The term “Commission”
24 means the St. Augustine 450th Commemoration
25 Commission established by section 4.

1 ~~(3)~~ GOVERNOR.—The term “Governor” means
2 the Governor of the State of Florida.

3 ~~(4)~~ SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 ~~(5)~~ STATE.—

6 (A) IN GENERAL.—The term “State”
7 means the State of Florida.

8 (B) INCLUSION.—The term “State” in-
9 cludes agencies and entities of the State of
10 Florida.

11 **SEC. 4. ESTABLISHMENT.**

12 There is established a commission to be known as the
13 St. Augustine 450th Commemoration Commission.

14 **SEC. 5. DUTIES.**

15 ~~(a)~~ IN GENERAL.—The Commission shall—

16 (1) plan, develop, and execute programs and ac-
17 tivities appropriate to commemorate the 450th anni-
18 versary of the founding of St. Augustine, Florida;

19 (2) generally facilitate St. Augustine commemo-
20 ration-related activities throughout the United
21 States;

22 ~~(3)~~ encourage civic, patriotic, historical, edu-
23 cational, religious, economic, and other organizations
24 throughout the United States to organize and par-
25 ticipate in anniversary activities to expand under-

standing and appreciation of the significance of the
founding and continuing history of St. Augustine;

(4) coordinate and facilitate scholarly research
on, publication about, and interpretation of, St. Au-
gustine for the education of the public; and

(5) ensure that the 450th anniversary of St.
Augustine provides a lasting legacy and long-term
public benefit for the United States by assisting in
the development of appropriate programs and facili-
ties to accommodate those programs.

(b) PLANS; REPORTS.—

(1) STRATEGIC PLAN; ANNUAL PERFORMANCE
PLANS.—In accordance with the Government Per-
formance and Results Act of 1993, the Commission
shall prepare a strategic plan and annual perform-
ance plans for the activities of the Commission ear-
ried out under this Act.

(2) FINAL REPORT.—Not later than December
31, 2015, the Commission shall complete a final re-
port that contains—

(A) a summary of the activities of the
Commission;

(B) a final accounting of funds received
and expended by the Commission; and

1 (C) the findings and recommendations of
2 the Commission.

3 **SEC. 6. MEMBERSHIP.**

4 (a) ~~IN GENERAL.~~—The Commission shall be com-
5 posed of 16 members, of whom—

6 (1) ~~3~~ members shall be appointed by the Sec-
7 retary, taking into consideration the recommenda-
8 tions of the St. Augustine City Commission;

9 (2) ~~3~~ members shall be appointed by the Sec-
10 retary, taking into consideration the recommenda-
11 tions of the Governor;

12 (3) ~~1~~ member shall be an employee of the Na-
13 tional Park Service having experience relevant to the
14 historic resources relating to the city of St. Augus-
15 tine and the commemoration, to be appointed by the
16 Secretary;

17 (4) ~~1~~ member shall be the Mayor of the city of
18 St. Augustine (or a designee);

19 (5) ~~1~~ member shall be an employee of the State
20 University System of Florida, to be appointed by the
21 Secretary; and

22 (6) ~~5~~ members shall be individuals who are non-
23 residents of the State of Florida who have an inter-
24 est in, support for, and expertise appropriate to the
25 commemoration, to be appointed by the Secretary;

1 taking into consideration the recommendation of
2 Congress.

3 ~~(b) TIME OF APPOINTMENT.—~~Each initial appoint-
4 ment of a member of the Commission shall be made before
5 the expiration of the 120-day period beginning on the date
6 of the enactment of this Act.

7 ~~(c) TERM; VACANCIES.—~~

8 ~~(1) TERM.—~~A member of the Commission shall
9 be appointed for the life of the Commission, unless
10 a designee is appointed pursuant to subsection
11 ~~(a)(4).~~

12 ~~(2) VACANCIES.—~~

13 ~~(A) IN GENERAL.—~~A vacancy on the Com-
14 mission shall be filled in the same manner in
15 which the original appointment was made.

16 ~~(B) PARTIAL TERM.—~~A member appointed
17 to fill a vacancy on the Commission shall serve
18 for the remainder of the term for which the
19 predecessor of the member was appointed.

20 ~~(3) CONTINUATION OF MEMBERSHIP.—~~If a
21 member of the Commission was appointed to the
22 Commission as Mayor of the city of St. Augustine
23 or as an employee of the National Park Service or
24 the State University System of Florida, and ceases
25 to hold such position, that member may continue to

1 serve on the Commission for not longer than the 30-
 2 day period beginning on the date that member
 3 ceases to hold such position.

4 ~~(d) MEETINGS.—~~

5 ~~(1) IN GENERAL.—~~The Commission shall
 6 meet—

7 ~~(A) at least 3 times each year; or~~

8 ~~(B) at the call of the Chairperson or the~~
 9 majority of the members of the Commission.

10 ~~(2) INITIAL MEETING.—~~Not later than 30 days
 11 after the date on which all members of the Commis-
 12 sion have been appointed, the Commission shall hold
 13 the initial meeting of the Commission.

14 ~~(e) VOTING.—~~

15 ~~(1) IN GENERAL.—~~The Commission shall act
 16 only on an affirmative vote of a majority of the
 17 members of the Commission.

18 ~~(2) QUORUM.—~~A majority of the Commission
 19 shall constitute a quorum.

20 ~~(f) CHAIRPERSON.—~~The Secretary shall appoint a
 21 Chairperson of the Commission, taking into consideration
 22 any recommendations of the Governor.

23 ~~(g) COMPENSATION.—~~

1 (1) ~~IN GENERAL.~~—Except as provided in para-
 2 graph (2), a member of the Commission shall serve
 3 without compensation.

4 (2) ~~FEDERAL EMPLOYEES.~~—A member of the
 5 Commission who is an officer or employee of the
 6 Federal Government shall serve without compensa-
 7 tion other than the compensation received for the
 8 services of the member as an officer or employee of
 9 the Federal Government.

10 (3) ~~TRAVEL EXPENSES.~~—A member of the
 11 Commission shall be allowed travel expenses, includ-
 12 ing per diem in lieu of subsistence, at rates author-
 13 ized for an employee of an agency under subchapter
 14 I of chapter 57 of title 5, United States Code, while
 15 away from the home or regular place of business of
 16 the member in the performance of the duties of the
 17 Commission.

18 **SEC. 7. DIRECTOR AND STAFF.**

19 (a) ~~IN GENERAL.~~—The Chairperson of the Commis-
 20 sion may, without regard to the provisions of title 5,
 21 United States Code, appoint and terminate an executive
 22 director and such other additional personnel as are nec-
 23 essary to enable the Commission to perform the duties of
 24 the Commission.

1 (b) ~~CONFIRMATION OF EXECUTIVE DIRECTOR.~~—The
 2 employment of an executive director shall be subject to
 3 confirmation by the Commission.

4 (c) ~~COMPENSATION.~~—

5 (1) ~~IN GENERAL.~~—Except as provided in para-
 6 graph (2), the Chairperson of the Commission may
 7 fix the compensation of the executive director and
 8 other personnel without regard to the provisions of
 9 chapter 51 and subchapter III of chapter 53 of title
 10 5, United States Code, relating to classification of
 11 positions and General Schedule pay rates.

12 (2) ~~MAXIMUM RATE OF PAY.~~—The rate of pay
 13 for the executive director and other personnel shall
 14 not exceed the rate payable for level V of the Execu-
 15 tive Schedule under section 5316 of title 5, United
 16 States Code.

17 (d) ~~DETAIL OF GOVERNMENT EMPLOYEES.~~—

18 (1) ~~FEDERAL EMPLOYEES.~~—

19 (A) ~~IN GENERAL.~~—At the request of the
 20 Commission, the head of any Federal agency
 21 may detail, on a reimbursable or non-reimburs-
 22 able basis, any of the personnel of the agency
 23 to the Commission to assist the Commission in
 24 carrying out the duties of the Commission
 25 under this Act. Any reimbursement under this

1 paragraph shall be credited to the appropria-
 2 tion, fund, or account used for paying the
 3 amounts reimbursed.

4 ~~(B) CIVIL SERVICE STATUS.~~—The detail of
 5 an employee under subparagraph (A) shall be
 6 without interruption or loss of civil service sta-
 7 tus or privilege.

8 ~~(2) STATE EMPLOYEES.~~—The Commission
 9 may—

10 ~~(A) accept the services of personnel de-~~
 11 ~~tailed from the State; and~~

12 ~~(B) reimburse the State for services of de-~~
 13 ~~tailed personnel.~~

14 ~~(c) VOLUNTEER AND UNCOMPENSATED SERVICES.~~—
 15 Notwithstanding section 1342 of title 31, United States
 16 Code, the Commission may accept and use voluntary and
 17 uncompensated services as the Commission determines
 18 necessary.

19 ~~(f) SUPPORT SERVICES.~~—The Director of the Na-
 20 tional Park Service shall provide to the Commission, on
 21 a reimbursable basis, such administrative support services
 22 as the Commission may request. Any reimbursement
 23 under this paragraph shall be credited to the appropria-
 24 tion, fund, or account used for paying the amounts reim-
 25 bursed.

1 (g) ~~PROCUREMENT OF TEMPORARY AND INTERMIT-~~
 2 ~~TENT SERVICES.~~—The Chairperson of the Commission
 3 may procure temporary and intermittent services in ac-
 4 cordance with section 3109(b) of title 5, United States
 5 Code, at rates for individuals that do not exceed the daily
 6 equivalent of the annual rate of basic pay prescribed for
 7 level V of the Executive Schedule under section 5316 of
 8 such title.

9 (h) ~~FACA NONAPPLICABILITY.~~—Section 14(b) of the
 10 Federal Advisory Committee Act (5 U.S.C. App.) shall not
 11 apply to the Commission.

12 (i) ~~NO EFFECT ON AUTHORITY.~~—Nothing in this
 13 section supersedes the authority of the State, the National
 14 Park Service, the city of St. Augustine, or any designee
 15 of the foregoing, concerning the commemoration.

16 **SEC. 8. POWERS.**

17 (a) ~~IN GENERAL.~~—The Commission may—

18 (1) accept donations and make disbursements of
 19 money, personal services, and real and personal
 20 property related to St. Augustine and the signifi-
 21 cance of St. Augustine in the history of the United
 22 States;

23 (2) appoint such advisory committees as the
 24 Commission determines to be necessary to carry out
 25 this Act;

1 ~~(3)~~ authorize any member or employee of the
2 Commission to take any action that the Commission
3 is authorized to take by this Act;

4 ~~(4)~~ procure supplies, services, and property, and
5 make or enter into contracts, leases, and other legal
6 agreements, to carry out this Act (except that any
7 contracts, leases, and other legal agreements made
8 or entered into by the Commission shall not extend
9 beyond the date of termination of the Commission);

10 ~~(5)~~ use the United States mails in the same
11 manner and under the same conditions as other
12 Federal agencies;

13 ~~(6)~~ make grants in amounts not to exceed
14 \$10,000 per grant to communities and nonprofit or-
15 ganizations to develop programs to assist in the
16 commemoration;

17 ~~(7)~~ make grants to research and scholarly orga-
18 nizations to research, publish, or distribute informa-
19 tion relating to the early history of St. Augustine;
20 and

21 ~~(8)~~ provide technical assistance to States, local-
22 ities, and nonprofit organizations to further the com-
23 memoration.

24 ~~(b) TERMINATION.~~—The Commission shall terminate
25 on December 31, 2015.

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as are necessary to carry out this Act, and such appro-
4 priated sums shall not expire and shall remain until ex-
5 pended.

6 **SECTION 1. SHORT TITLE.**

7 *This Act may be cited as the “St. Augustine 450th*
8 *Commemoration Commission Act of 2008”.*

9 **SEC. 2. DEFINITIONS.**

10 *In this Act:*

11 (1) *COMMEMORATION.*—*The term “commemora-*
12 *tion” means the commemoration of the 450th anni-*
13 *versary of the founding of the settlement of St. Augus-*
14 *tine, Florida.*

15 (2) *COMMISSION.*—*The term “Commission”*
16 *means the St. Augustine 450th Commemoration Com-*
17 *mission established by section 3(a).*

18 (3) *GOVERNOR.*—*The term “Governor” means*
19 *the Governor of the State.*

20 (4) *SECRETARY.*—*The term “Secretary” means*
21 *the Secretary of the Interior.*

22 (5) *STATE.*—

23 (A) *IN GENERAL.*—*The term “State” means*
24 *the State of Florida.*

25 (B) *INCLUSION.*—*The term “State” includes*
26 *agencies and entities of the State of Florida.*

1 **SEC. 3. ESTABLISHMENT.**

2 (a) *IN GENERAL.*—*There is established a commission,*
 3 *to be known as the “St. Augustine 450th Commemoration*
 4 *Commission”.*

5 (b) *MEMBERSHIP.*—

6 (1) *COMPOSITION.*—*The Commission shall be*
 7 *composed of 14 members, of whom—*

8 (A) *3 members shall be appointed by the*
 9 *Secretary, after considering the recommendations*
 10 *of the St. Augustine City Commission;*

11 (B) *3 members shall be appointed by the*
 12 *Secretary, after considering the recommendations*
 13 *of the Governor;*

14 (C) *1 member shall be an employee of the*
 15 *National Park Service having experience rel-*
 16 *evant to the historical resources relating to the*
 17 *city of St. Augustine and the commemoration, to*
 18 *be appointed by the Secretary;*

19 (D) *1 member shall be appointed by the*
 20 *Secretary, taking into consideration the rec-*
 21 *ommendations of the Mayor of the city of St. Au-*
 22 *gustine;*

23 (E) *1 member shall be appointed by the*
 24 *Secretary, after considering the recommendations*
 25 *of the Chancellor of the University System of*
 26 *Florida; and*

1 (F) 5 members shall be individuals who are
 2 residents of the State who have an interest in,
 3 support for, and expertise appropriate to the
 4 commemoration, to be appointed by the Sec-
 5 retary, taking into consideration the rec-
 6 ommendations of Members of Congress.

7 (2) *TIME OF APPOINTMENT.*—Each appointment
 8 of an initial member of the Commission shall be made
 9 before the expiration of the 120-day period beginning
 10 on the date of enactment of this Act.

11 (3) *TERM; VACANCIES.*—

12 (A) *TERM.*—A member of the Commission
 13 shall be appointed for the life of the Commission.

14 (B) *VACANCIES.*—

15 (i) *IN GENERAL.*—A vacancy on the
 16 Commission shall be filled in the same man-
 17 ner in which the original appointment was
 18 made.

19 (ii) *PARTIAL TERM.*—A member ap-
 20 pointed to fill a vacancy on the Commission
 21 shall serve for the remainder of the term for
 22 which the predecessor of the member was
 23 appointed.

24 (C) *CONTINUATION OF MEMBERSHIP.*—If a
 25 member of the Commission was appointed to the

1 *Commission as Mayor of the city of St. Augus-*
 2 *tine or as an employee of the National Park*
 3 *Service or the State University System of Flor-*
 4 *ida, and ceases to hold such position, that mem-*
 5 *ber may continue to serve on the Commission for*
 6 *not longer than the 30-day period beginning on*
 7 *the date on which that member ceases to hold the*
 8 *position.*

9 (c) *DUTIES.—The Commission shall—*

10 (1) *plan, develop, and carry out programs and*
 11 *activities appropriate for the commemoration;*

12 (2) *facilitate activities relating to the commemo-*
 13 *ration throughout the United States;*

14 (3) *encourage civic, patriotic, historical, edu-*
 15 *cational, artistic, religious, economic, and other orga-*
 16 *nizations throughout the United States to organize*
 17 *and participate in anniversary activities to expand*
 18 *understanding and appreciation of the significance of*
 19 *the founding and continuing history of St. Augustine;*

20 (4) *provide technical assistance to States, local-*
 21 *ities, and nonprofit organizations to further the com-*
 22 *memoration;*

23 (5) *coordinate and facilitate for the public schol-*
 24 *arly research on, publication about, and interpreta-*
 25 *tion of, St. Augustine;*

1 (6) *ensure that the commemoration provides a*
 2 *lasting legacy and long-term public benefit by assist-*
 3 *ing in the development of appropriate programs; and*

4 (7) *help ensure that the observances of the foun-*
 5 *dation of St. Augustine are inclusive and appro-*
 6 *priately recognize the experiences and heritage of all*
 7 *individuals present when St. Augustine was founded.*

8 **SEC. 4. COMMISSION MEETINGS.**

9 (a) *INITIAL MEETING.*—*Not later than 30 days after*
 10 *the date on which all members of the Commission have been*
 11 *appointed, the Commission shall hold the initial meeting*
 12 *of the Commission.*

13 (b) *MEETINGS.*—*The Commission shall meet—*

14 (1) *at least 3 times each year; or*

15 (2) *at the call of the Chairperson or the majority*
 16 *of the members of the Commission.*

17 (c) *QUORUM.*—*A majority of the voting members shall*
 18 *constitute a quorum, but a lesser number may hold meet-*
 19 *ings.*

20 (d) *CHAIRPERSON AND VICE CHAIRPERSON.*—

21 (1) *ELECTION.*—*The Commission shall elect the*
 22 *Chairperson and the Vice Chairperson of the Commis-*
 23 *sion on an annual basis.*

1 (2) *ABSENCE OF THE CHAIRPERSON.*—*The Vice*
 2 *Chairperson shall serve as the Chairperson in the ab-*
 3 *sence of the Chairperson.*

4 (e) *VOTING.*—*The Commission shall act only on an af-*
 5 *firmative vote of a majority of the members of the Commis-*
 6 *sion.*

7 **SEC. 5. COMMISSION POWERS.**

8 (a) *GIFTS.*—*The Commission may solicit, accept, use,*
 9 *and dispose of gifts, bequests, or devises of money or other*
 10 *property for aiding or facilitating the work of the Commis-*
 11 *sion.*

12 (b) *APPOINTMENT OF ADVISORY COMMITTEES.*—*The*
 13 *Commission may appoint such advisory committees as the*
 14 *Commission determines to be necessary to carry out this*
 15 *Act.*

16 (c) *AUTHORIZATION OF ACTION.*—*The Commission*
 17 *may authorize any member or employee of the Commission*
 18 *to take any action that the Commission is authorized to*
 19 *take under this Act.*

20 (d) *PROCUREMENT.*—

21 (1) *IN GENERAL.*—*The Commission may procure*
 22 *supplies, services, and property, and make or enter*
 23 *into contracts, leases, or other legal agreements, to*
 24 *carry out this Act (except that a contract, lease, or*
 25 *other legal agreement made or entered into by the*

1 *Commission shall not extend beyond the date of ter-*
 2 *mination of the Commission).*

3 (2) *LIMITATION.*—*The Commission may not pur-*
 4 *chase real property.*

5 (e) *POSTAL SERVICES.*—*The Commission may use the*
 6 *United States mails in the same manner and under the*
 7 *same conditions as other agencies of the Federal Govern-*
 8 *ment.*

9 (f) *GRANTS AND TECHNICAL ASSISTANCE.*—*The Com-*
 10 *mission may—*

11 (1) *provide grants in amounts not to exceed*
 12 *\$20,000 per grant to communities and nonprofit or-*
 13 *ganizations for use in developing programs to assist*
 14 *in the commemoration;*

15 (2) *provide grants to research and scholarly or-*
 16 *ganizations to research, publish, or distribute infor-*
 17 *mation relating to the early history of St. Augustine;*
 18 *and*

19 (3) *provide technical assistance to States, local-*
 20 *ities, and nonprofit organizations to further the com-*
 21 *memoration.*

22 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

23 (a) *COMPENSATION OF MEMBERS.*—

1 (1) *IN GENERAL.*—*Except as provided in para-*
2 *graph (2), a member of the Commission shall serve*
3 *without compensation.*

4 (2) *FEDERAL EMPLOYEES.*—*A member of the*
5 *Commission who is an officer or employee of the Fed-*
6 *eral Government shall serve without compensation*
7 *other than the compensation received for the services*
8 *of the member as an officer or employee of the Federal*
9 *Government.*

10 (b) *TRAVEL EXPENSES.*—*A member of the Commission*
11 *shall be allowed travel expenses, including per diem in lieu*
12 *of subsistence, at rates authorized for an employee of an*
13 *agency under subchapter I of chapter 57 of title 5, United*
14 *States Code, while away from the home or regular place*
15 *of business of the member in the performance of the duties*
16 *of the Commission.*

17 (c) *DIRECTOR AND STAFF.*—

18 (1) *IN GENERAL.*—*The Chairperson of the Com-*
19 *mission may, without regard to the civil service laws*
20 *(including regulations), nominate an executive direc-*
21 *tor to enable the Commission to perform the duties of*
22 *the Commission.*

23 (2) *CONFIRMATION OF EXECUTIVE DIRECTOR.*—
24 *The employment of an executive director shall be sub-*
25 *ject to confirmation by the Commission.*

1 (d) *COMPENSATION.*—

2 (1) *IN GENERAL.*—*Except as provided in para-*
 3 *graph (2), the Commission may fix the compensation*
 4 *of the executive director and other personnel without*
 5 *regard to the provisions of chapter 51 and subchapter*
 6 *III of chapter 53 of title 5, United States Code, relat-*
 7 *ing to classification of positions and General Schedule*
 8 *pay rates.*

9 (2) *MAXIMUM RATE OF PAY.*—*The rate of pay for*
 10 *the executive director and other personnel shall not*
 11 *exceed the rate payable for level V of the Executive*
 12 *Schedule under section 5316 of title 5, United States*
 13 *Code.*

14 (e) *DETAIL OF GOVERNMENT EMPLOYEES.*—

15 (1) *FEDERAL EMPLOYEES.*—

16 (A) *DETAIL.*—*At the request of the Commis-*
 17 *sion, the head of any Federal agency may detail,*
 18 *on a reimbursable or nonreimbursable basis, any*
 19 *of the personnel of the agency to the Commission*
 20 *to assist the Commission in carrying out the du-*
 21 *ties of the Commission under this Act.*

22 (B) *CIVIL SERVICE STATUS.*—*The detail of*
 23 *an employee under subparagraph (A) shall be*
 24 *without interruption or loss of civil service sta-*
 25 *tus or privilege.*

1 (2) *STATE EMPLOYEES.—The Commission*
 2 *may—*

3 *(A) accept the services of personnel detailed*
 4 *from the State; and*

5 *(B) reimburse the State for services of de-*
 6 *tailed personnel.*

7 (f) *PROCUREMENT OF TEMPORARY AND INTERMITTENT*
 8 *SERVICES.—The Chairperson of the Commission may pro-*
 9 *cure temporary and intermittent services in accordance*
 10 *with section 3109(b) of title 5, United States Code, at rates*
 11 *for individuals that do not exceed the daily equivalent of*
 12 *the annual rate of basic pay prescribed for level V of the*
 13 *Executive Schedule under section 5316 of such title.*

14 (g) *VOLUNTEER AND UNCOMPENSATED SERVICES.—*
 15 *Notwithstanding section 1342 of title 31, United States*
 16 *Code, the Commission may accept and use such voluntary*
 17 *and uncompensated services as the Commission determines*
 18 *to be necessary.*

19 (h) *SUPPORT SERVICES.—*

20 (1) *IN GENERAL.—The Secretary shall provide to*
 21 *the Commission, on a reimbursable basis, such ad-*
 22 *ministrative support services as the Commission may*
 23 *request.*

24 (2) *REIMBURSEMENT.—Any reimbursement*
 25 *under this paragraph shall be credited to the appro-*

1 *priation, fund, or account used for paying the*
 2 *amounts reimbursed.*

3 *(i) FACA NONAPPLICABILITY.—Section 14(b) of the*
 4 *Federal Advisory Committee Act (5 U.S.C. App.) shall not*
 5 *apply to the Commission.*

6 *(j) NO EFFECT ON AUTHORITY.—Nothing in this sec-*
 7 *tion supersedes the authority of the State, the National Park*
 8 *Service, the city of St. Augustine, or any designee of those*
 9 *entities, with respect to the commemoration.*

10 **SEC. 7. PLANS; REPORTS.**

11 *(a) STRATEGIC PLAN.—The Commission shall prepare*
 12 *a strategic plan for the activities of the Commission carried*
 13 *out under this Act.*

14 *(b) FINAL REPORT.—Not later than September 30,*
 15 *2015, the Commission shall complete and submit to Con-*
 16 *gress a final report that contains—*

17 *(1) a summary of the activities of the Commis-*
 18 *sion;*

19 *(2) a final accounting of funds received and ex-*
 20 *pended by the Commission; and*

21 *(3) the findings and recommendations of the*
 22 *Commission.*

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) *IN GENERAL.*—*There is authorized to be appro-*
3 *priated to the Commission to carry out this Act \$500,000*
4 *for each of fiscal years 2009 through 2015.*

5 (b) *AVAILABILITY.*—*Amounts made available under*
6 *subsection (a) shall remain available until December 31,*
7 *2015.*

8 **SEC. 9. TERMINATION OF COMMISSION.**

9 (a) *DATE OF TERMINATION.*—*The Commission shall*
10 *terminate on December 31, 2015.*

11 (b) *TRANSFER OF DOCUMENTS AND MATERIALS.*—*Be-*
12 *fore the date of termination specified in subsection (a), the*
13 *Commission shall transfer all documents and materials of*
14 *the Commission to the National Archives or another appro-*
15 *priate Federal entity.*

Calendar No. 982

110TH CONGRESS
2^D Session

S. 2359

A BILL

To establish the St. Augustine 450th Commemora-
tion Commission, and for other purposes.

SEPTEMBER 16, 2008

Reported with an amendment